

From: Peter Cleaveland
To: 'microsoft.atr(a)usdoj.gov'
Date: 12/12/01 5:34pm
Subject: Microsoft Settlement

I'm an internet programmer for Online Documents, Inc. I use Microsoft products all day, but I have serious misgivings about the terms of the proposed settlement.

Please make sure the Microsoft Antitrust settlement does not contain language that exempts Microsoft from co-operating with not-for-profit and open source organizations.

Section III(J)(2) and Section III(D) are particularly troubling examples where cooperation with commercial enterprises and businesses is required, but cooperation with the Open Source movement and academic efforts is not. These not-for-profit enterprises are the source of a great deal of innovation and the single greatest long term competitor to Microsoft. Please don't allow the terms of the settlement give Microsoft license to undercut these efforts. Microsoft was found to be breaking the law by behaving in an anti-competitive manner, right? Lets not give them a tool to continue that behavior.

Along a similar lines, please don't let Microsoft flood the educational market (one of the few places they don't dominate) with (supposedly \$1 billion) of their own products at almost no real cost to themselves. Dumping product at below cost to stifle competition is a classic anti-competitive strategy in it's own right. Why should we reward Microsoft's criminal, anticompetitive acts with an invitation to do more of the same? It would be much better for the educators to have \$1 billion in cash to buy technology of their own choosing. That would actually be a penalty to Microsoft. The current proposal seems more like a reward.

Peter Cleaveland